

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT CINCINNATI

UNITED STATES SECURITIES AND EXCHANGE COMMISSION,	:	Case No. 1:01-cv-116 (Judge Sandra S. Beckwith)
Plaintiff,	:	
v.	:	MOTION FOR ORDER SUBSTITUTING
STEPHEN G. DONAHUE, et al.,	:	<u>H. PATRICK WEBER AS RECEIVER</u>
Defendants.	:	

Comes now Michael R. Barrett, the receiver appointed by order entered March 7, 2001 (doc. 12), and moves the Court for entry of an order substituting H. Patrick Weber as receiver for the estate of Stephen G. Donahue (the “Receiver”) effective immediately on the grounds that Mr. Barrett will soon no longer be able to serve as Receiver as more fully set forth in the attached memorandum.

Respectfully submitted,

/s/ Richard Boydston
Richard Boydston (22360)
Attorney for Michael R. Barrett, Receiver
Greenebaum Doll & McDonald PLLC
255 East Fifth Street #2800
Cincinnati, OH 45202-4728
513.455.7663
513.762.7963 (fax)
rb2@gdm.com

MEMORANDUM

Mr. Barrett has been nominated by the President of the United States to the position of judge in this Court. The nomination was confirmed May 1, 2006 by the entire Senate of the United States Congress.

Mr. Weber is Mr. Barrett's partner at the firm of Barrett & Weber, L.P.A. Mr. Weber has provided legal services at the request and for the benefit of the Receiver throughout the receivership and is familiar with the work necessary to complete the Receiver's duties and close the receivership.

Counsel for the plaintiff United States Securities and Exchange Commission and also for the Securities Investors Protection Corporation have advised counsel for the Receiver that they have no objection to the substitution.

WHEREFORE, the Receiver prays the Court enter an order substituting Mr. Weber for Mr. Barrett as the Receiver.

Respectfully submitted,

/s/ Richard Boydston
Richard Boydston (22360)
Attorney for Michael R. Barrett, Receiver
Greenebaum Doll & McDonald PLLC
255 East Fifth Street #2800
Cincinnati, OH 45202-4728
513.455.7663
513.762.7963 (fax)
rb2@gdm.com

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing Motion for Order Substituting H. Patrick Weber Receiver was served on May 2, 2006 electronically pursuant to the CM/ECF procedures established by the Court and by ordinary United States mail, first class postage prepaid, on the following.

/s/ Richard Boydston

Anne C. McKinley, Esq.
U.S. Securities and Exchange Commission
175 West Jackson Boulevard, Suite 900
Chicago, IL 60604
mckinleya@sec.gov

Glenn V. Whitaker, Esq.
Vorys, Sater, Seymour & Pease
Atrium Two
221 E. Fourth Street, Suite 2100
Cincinnati, Ohio 45202
gvwhitaker@vsssp.com

Gerald L. Baldwin, Esq.
Frost Brown Todd
2500 PNC Center
201 E. Fifth Street
Cincinnati, Ohio 45202
gbaldwin@fbtlaw.com

J. Michael Debbeler, Esq.
Graydon, Head & Ritchey, LLP
1900 Fifth Third Center
511 Walnut Street
Cincinnati, Ohio 45202
mdebbeler@graydon.com

Donald J. Rafferty, Esq.
Cohen Todd Kite & Stanford, LLC
250 E. Fifth Street, Suite 1200
Cincinnati, Ohio 45202
drafferty@ctks.com